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## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

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U.S. APPLICATION NO. 09/647096	FIRST NAMED APPLICANT RICHARDS	ATTY. DOCKET NO. D
INTERNATIONAL APPLICATION NO. PCT/AU99/00232		
I.A. FILING DATE 30 MAR 99		PRIORITY DATE 30 MAR 98
DATE MAILED: 02 NOV 2000		

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed \_\_\_\_\_.

Verified Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

PCT/DO/EO/917

PTO-875

FORM PCT/DO/EO/905 (December 1997)

Notice of Defective Translation

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Rec'd PCT/PT 02 MAY 2001 #4  
09/647098

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David G. RICHARDS et al

Appln. No.: 09/647,098

Group Art Unit: 0000

Filed: September 26, 2000

Examiner: Unknown **RECEIVED**

For: VACCINATION MODALITIES

16 MAY 2001

Legal Staff  
International Division

SUBMISSION OF EXECUTED DECLARATION IN RESPONSE  
TO THE NOTICE TO FILE MISSING PARTS OF APPLICATION

ATTN: BOX MISSING PARTS  
Assistant Commissioner  
of Patents  
Washington, D.C. 20231

Sir:

In response to the "Notice of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US)" dated November 2, 2000 (a copy of which is attached hereto), Applicants submit herewith the required Declaration properly executed by two of the three inventors, as well as a "Statement By Joint Inventors On Behalf Of Non-signing Inventor Who Refuses To Sign" executed by two of the inventors David Grant Richards and Wayne Keith Jorgensen on behalf of the non-signing inventor Norman Porter Stewart.

A Petition Under 37 C.F.R. § 1.47(a), and the Declaration of Peter A. Stearne, together with accompanying documents, explaining the circumstances under which the remaining inventor has not signed, is being filed concurrently herewith.

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**SUBMISSION OF EXECUTED DECLARATION IN  
RESPONSE TO THE NOTICE TO FILE  
MISSING PARTS OF APPLICATION  
U.S. Appln. No. 09/647,098**

A check for the surcharge of \$130.00 for submission of the late Declaration is attached hereto.

The Assistant Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is attached.

Respectfully submitted,  
  
\_\_\_\_\_  
Gordon Kit  
Registration No. 30,764

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